

Greer.	Shelburne.
Lawhon.	Sherrill.
McComb.	Stafford.
McKinney.	Tips.
Presler.	Whitaker.
Rogers.	

## Nays—4.

Gage.	Steele.
Harrison.	Woods.

Absent—excused.

Goss. Simpson.

Absent, not excused.

Atlee.	Dickson.
Boren.	Lewis.
Bowser.	Smith.

Bill ordered engrossed.

On motion of Senator Presler, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage, by the following vote:

## Yeas—24.

Bailey.	Lawhon.
Beall.	Lewis.
Boren.	McComb.
Bowser.	Presler.
Colquitt.	Rogers.
Crowley.	Shelburne.
Darwin.	Sherrill.
Dean.	Stafford.
Dibrell.	Steele.
Gage.	Tips.
Greer.	Whitaker.
Harrison.	Woods.

## Nays—none.

Absent, excused.

Goss. Simpson.

Absent, not excused.

Agnew.	McKinney.
Atlee.	Smith.
Dickson.	

Bill read third time and passed by the following vote:

## Yeas—23.

Bailey.	Lawhon.
Beall.	Lewis.
Boren.	McComb.
Bowser.	Presler.
Colquitt.	Rogers.
Crowley.	Shelburne.
Darwin.	Sherrill.
Dean.	Stafford.
Dibrell.	Tips.
Gage.	Whitaker.
Greer.	Woods.
Harrison.	

## Nays—1.

Steele.

Absent—excused.

Goss. Simpson.

Absent, not excused.

Agnew.	McKinney.
Atlee.	Smith.
Dickson.	

By unanimous consent Senator Gage offered the following committee concurrent resolution:

Whereas, A bill is now pending in the Senate to suspend the forfeiture of the

public free school, the University and the several Asylum lands for the non-payment of interest due thereon; and

Whereas, The introduction of said bill has caused some of the district attorneys, having the amounts and claims for such interest in hand for suit and collection, to hasten the filing the suits thereon; and

Whereas, The filing of such suits at this time is cruel, oppressive and greatly damaging and will work unnecessary hardships upon a helpless people; therefore be it

Resolved, the House concurring, That all suits for the non-payment of interest on such lands be suspended for and during the present session of the Legislature or until further legislation thereon.

Adopted.

## SPECIAL ORDER.

The Chair laid before the Senate

Senate bill No. 66, being a bill to be entitled "An act to amend article 566, chapter 2, title 20, of the Revised Civil Statutes of the State of Texas, as amended by the Twenty-third Legislature, chapter 83, page 109."

Bill read second time with committee amendments.

Pending action.

On motion of Senator Woods, the Senate adjourned to tomorrow 10 a. m.

## THIRTY-SECOND DAY.

Senate Chamber,

Austin, Texas, Feb. 13, 1895.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew.	Lawhon.
Atlee.	Lewis.
Bailey.	McComb.
Beall.	McKinney.
Bowser.	Rogers.
Colquitt.	Shelburne.
Darwin.	Simpson.
Dean.	Smith.
Dibrell.	Stafford.
Dickson.	Steele.
Gage.	Tips.
Goss.	Whitaker.
Harrison.	Woods.

Absent, not excused.

Boren.	Presler.
Crowley.	Sherrill.
Greer.	

Prayer by Dr. Scott.

Pending the reading of the Journal of yesterday,

On motion of Senator Whitaker, the same was suspended.

On motion of Senator Dickson, Senator Simpson was excused for non-attendance on Monday and Tuesday, on account of important business.

On motion of Senator Woods, Senator Sherrill was excused indefinitely, on account of sickness in his family.

On motion of Senator Dickson, Senator Boren was excused for today, on account of sickness in his family.

#### PETITIONS AND MEMORIALS.

By Senator Gage:

Petition from business men of Eastland, Texas, praying that no increased taxation be levied on insurance companies.

Read and referred to Judiciary Committee No. 1.

The Chair laid before the Senate and had read two petitions from "cultivators of the soil," requesting postponement of the "Irrigation act" now before the Senate.

Read and referred to Committee on Mining and Irrigation.

#### COMMITTEE REPORTS.

Committee Room,

Austin, Texas, February 12, 1895.

Hon. George T. Jester, President of the Senate.

Your Committee on Mining and Irrigation, to whom was referred

Senate bill No. 175, being a bill to be entitled "An act to better and more fully promote the development of the mining resources of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

GAGE, Chairman.

Committee Room,

Austin, Texas, February 12, 1895.

Hon. George T. Jester, President of the Senate.

Your Committee on Mining and Irrigation, to whom was referred

Senate bill No. 176, being a bill to be entitled "An act to repeal an act entitled 'An act to withdraw the public lands of the State of Texas,'"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

GAGE, Chairman.

Committee Room,

Austin, Texas, February 12, 1895.

Hon. George T. Jester, President of the Senate.

Your Committee on Public Health, to whom was referred

Senate bill No. 77, being a bill to be entitled "An act to amend sections 4, 5 and 6 of an act entitled 'An act to regulate the practice of pharmacy in the State of Texas, and providing a penalty for the enforcement of the same, approved April 6, 1889,'"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Amend caption by adding thereto the following, "and adding thereto section 19."

Amend by adding section 19 after section 16, as follows:

"Section 19. No pharmacist qualified under this act shall be permitted to refill a physician's prescription, intended for internal use, unless authorized in writing, when the same contains morphine, cocaine or any salts of morphine or cocaine."

DIBRELL, Chairman.

Committee Room,

Austin, Texas, February 12, 1895.

Hon. George T. Jester, President of the Senate.

Your Committee on Claims and Accounts, to whom was referred

Senate bill No. 158, being a bill to be entitled "An act to authorize payment of all just claims against the State incurred in enforcing the quarantine laws accruing under the administration of Governor Ross, in the years 1890 and 1891,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, February 12, 1895.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 1, being "An act relating to suits for libel, and to better define mode of procedure in suits for damages thereunder,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, February 12, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 110, being "An act to invest the Board of Regents of the University of Texas with the management and control of the University lands,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, February 13, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 111, being "An act to amend section 1 of an act passed at a regular session of the Twenty-third Legislature of Texas, approved April 19, 1893, amending section 1 of an act passed by the Twenty-third Legislature of Texas, reorganizing the Fifteenth Judicial District, and defining the time for holding courts in the said Fifteenth Judicial District, and add section 1a,"

And find the same correctly engrossed.

BAILEY, Chairman.

## HOUSE MESSAGE.

House of Representatives,  
Austin, Texas, February 13, 1895.  
Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has passed the following committee substitute for House bills Nos. 3 and 7, to wit:

Committee substitute for House bills Nos. 3 and 7, a bill to be entitled "An act to amend section 58, of chapter 122, of the general laws enacted by the Twenty-third Legislature, entitled 'An act to provide for a more efficient system of public free schools for the State of Texas; defining the school funds,' etc., approved May 20, 1893; to provide for separate boards of trustees for the white and colored schools of each school district; to provide for the maintenance of separate schools for white and colored children of each district; to provide for the apportionment of the school funds of each district to the respective schools thereof."

Respectfully,  
CHESTER HAILE, Chief Clerk.

## BILLS AND RESOLUTIONS.

By Senator Tips (by request):

A bill to be entitled "An act to prescribe the duty of midwives and others towards infants afflicted with sore eyes, to provide a penalty for the neglect thereof, and to prevent blindness."

Read first time and referred to Committee on Public Health.

By Senator Bailey:

A bill to be entitled "An act to regulate public warehouses."

Read first time and referred to Committee on Commerce and Manufacturing.

By Senator Bailey:

A bill to be entitled "An act to extend for the period of one year the time in which private domestic corporations heretofore chartered under the laws of the State, and foreign corporations that have heretofore received a permit to do business under the laws of this State, may pay the franchise tax assessed against them for the year ending April 30, 1895."

Read first time and referred to Judiciary Committee No. 1.

By Senator Shelburne:

A bill to be entitled "An act to restore and revive the charters of private corporations chartered under the laws of the State of Texas which have from failure to pay their annual taxes, or for other causes, lapsed or been declared forfeited by the Secretary of State."

Read first time and referred to Judiciary Committee No. 1.

Call concluded.

On motion of Senator Woods, regular order of business was suspended to take up

Senate bill No. 111, being a bill to be entitled "An act to amend section 1 of an

act passed at a regular session of the Twenty-third Legislature of Texas, approved April 19, 1893, amending section 1 of an act passed by the Twenty-third Legislature of Texas, reorganizing the Fifteenth Judicial District, and defining the time for holding the courts in said Fifteenth Judicial District, and add section 1a."

Bill read second time and ordered engrossed.

On motion of Senator Woods, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage, by the following vote:

Yeas—25.

Agnew.	Lawhon.
Atlee.	Lewis.
Bailey.	McComb.
Beall.	McKinney.
Bowser.	Rogers.
Colquitt.	Shelburne.
Darwin.	Simpson.
Dean.	Stafford.
Dibrell.	Steele.
Dickson.	Tips.
Gage.	Whitaker.
Goss.	Woods.
Harrison.	

Nays—none.

Present, not voting.

Smith.

Absent, excused.

Boren.

Sherrill.

Absent, not excused.

Crowley.

Presler.

Greer,

Bill read third time and passed by the following vote:

Yeas—26.

Agnew.	Lawhon.
Atlee.	Lewis.
Bailey.	McComb.
Beall.	McKinney.
Bowser.	Rogers.
Colquitt.	Shelburne.
Darwin.	Simpson.
Dean.	Smith.
Dibrell.	Stafford.
Dickson.	Steele.
Gage.	Tips.
Goss.	Whitaker.
Harrison.	Woods.

Nays—none.

Absent, excused.

Boren.

Sherrill,

Absent, not excused.

Crowley,

Presler.

Greer.

## IN SENATE.

House bill No. 283, "An act to create a more efficient road system for Dallas county, Texas, and making county commissioners of said county ex-officio road commissioners, and providing for their duties as such, and providing for their compensation as road commissioners, and defining the duties and powers of such

county commissioners, and providing for the appointment of road overseers, and defining their duties, and for the working of county convicts upon the public roads of said county, and providing for officers' fees, and to provide for the summoning of teams for road and allowance of time for same on roads; and fixing a penalty for violation of this act; and to repeal all laws in conflict with this act."

Read first time and referred to Committee on Roads and Bridges.

House bill No. 47, "An act to protect persons, associations, and unions of working men, incorporated or unincorporated, in their labels, trademarks, and forms of advertising and names, and to prescribe penalties for violation of same, and to repeal all laws or parts of laws in conflict with this act."

Read first time and referred to Committee on Labor.

House bill No. 93, "An act to better define who are eligible for the several State and county offices of the State of Texas."

Read first time and referred to Judiciary Committee No. 2.

In motion of Senator Lawhon, regular order of business was suspended to take up

Senate bill No. 166, entitled "An act to amend section No. 1 of an act entitled an act to amend section 46, chapter 25, of the acts of 1885, entitled an act to amend chapter 79 of the acts of 1883, entitled an act to amend chapter 48 of the acts of 1887, an act to amend section 46 of an act to encourage stockraising, approved April 22, 1879, and amended April 4, 1881, and April 12, 1880, March 27, 1887, March 29, 1889, March 23, 1891, April 15, 1891, and March 29, 1893, so as to exempt Wilson county from the operation of the stock inspection law."

Bill read second time.

By Senator Lawhon:

Amend by adding between the words "Cochran" and "Foard" in line 23, page 2, the word "Wilson."

Adopted.

By Senator Dean:

Amend section 46 by inserting in line 12, between the words "Lampasas" and "McLennan," the word "Llano," and by striking out "Llano" in line 39.

Adopted.

By Senator Bowser:

Amend by striking out "Dallas," page 1, line 7.

Adopted.

By Senator Bailey:

Amend by striking out "Tarrant" on page 2, line 15.

Adopted.

The bill was then ordered engrossed.

#### SPECIAL ORDER.

The Chair laid before the Senate, on second reading,

House bill No. 323, a bill to be entitled "An act to amend section 1 of an act to fix the rate of taxation on insurance companies, telephone companies, sleeping and dining car companies and other corporations; to prescribe the time and manner

of collecting such taxes, to provide penalties for the violation of the provisions of this act, and to repeal all laws and parts of laws in conflict therewith, approved May 11, 1893."

(Senator Shelburne in the chair.)

Action being on Senator Simpson's amendment, to-wit:

"Amend section 1 by striking out the word 'two' in line 16, and inserting 'one;' and striking out 'one,' in line 19, and inserting 'one-half' in lieu thereof,"

The amendment was lost by the following vote:

#### Yeas—10.

Atlee.	Harrison.
Bailey.	Lawhon.
Dean.	Shelburne.
Gage.	Simpson.
Greer.	Whitaker.

#### Nays—16.

Agnew.	McKinney.
Beall.	Presler.
Colquitt.	Rogers.
Darwin.	Smith.
Dibrell.	Stafford.
Dickson.	Steele.
Goss.	Tips.
Lewis.	Woods.

Absent—excused.

Boren. Sherrill.

Absent—not excused.

Bowser. McComb.

Crowley.

By Senator Lewis:

Amend by striking out the enacting clause.

(Lientenant Governor Jester in the chair.)

The Chair gave notice of signing, and did sign, after the caption of same had been read.

House bill No. 155, being a bill to be entitled "An act to restore and confer upon the county court of Gregg county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and general statutes of Texas, to define the jurisdiction of said court, to conform the jurisdiction of the district court of said county to such change, to fix the time of holding court, and to repeal all laws in conflict with this act."

Action recurring to the amendment offered by Senator Lewis,

The following substitute was offered by Senator Presler:

Amend section 1: "Provided, that any insurance company investing annually in properties situated in this State an amount of money equal to its gross premium receipts collected in this State shall be exempt from the payment of the tax provided for in this act."

Senator Steele made the point of order that the amendment was not germane.

Sustained.

Pending discussion, Senator Simpson made the point that

Senate bill No. 60, being a bill to be entitled "An act to make the possession of cattle, horses or mules having thereon

burnt brands unlawful, and to empower the sheriff and inspector of hides and animals to sequester the same, and to provide for the foreclosure in case of seizure."

Was special order for this hour, and the Chair accordingly laid the bill before the Senate.

Senator Atlee moved to suspend the consideration of the regular order till pending business be concluded.

Suspended.

Senator Steele moved to postpone further consideration of pending business and that same be made special order for next Tuesday after call, and from day to day.

Senator Lewis moved as a substitute to postpone indefinitely.

Senator McKinney moved that the Senate stand adjourned till tomorrow morning at 10 o'clock.

Lost by the following vote:

Yeas—8.

Agnew.	Presler.
Colquitt.	Smith.
Dickson.	Steele.
McKinney.	Woods.

Nays—19.

Atlee.	Lawhon.
Bailey.	Lewis.
Beall.	McComb.
Darwin.	Rogers.
Dean.	Shelburne.
Dibrell.	Simpson.
Gage.	Stafford.
Goss.	Tips.
Greer.	Whitaker.
Harrison.	

Absent, excused.

Boren. Sherrill.

Absent—not excused.

Bowser. Crowley.

Pending taking of the vote to indefinitely postpone consideration of the bill, Senator Steele moved a call of the Senate, which was duly seconded and ordered, the following Senators answering to their names:

Agnew.	Lawhon.
Atlee.	Lewis.
Bailey.	McComb.
Beall.	McKinney.
Bowser.	Presler.
Colquitt.	Rogers.
Darwin.	Shelburne.
Dean.	Simpson.
Dibrell.	Smith.
Dickson.	Stafford.
Gage.	Steele.
Goss.	Tips.
Greer.	Whitaker.
Harrison.	Woods.

Absent—excused.

Boren. Sherrill.

Absent, not excused.

Crowley.

Senator Lewis made a motion to excuse Senator Crowley for today on account of important business, he being called home by telegram.

Excused by the following vote:

Yeas—20.

Agnew.	Greer.
Atlee.	Harrison.
Bailey.	Lawhon.
Beall.	Lewis.
Bowser.	McComb.
Dean.	Shelburne.
Dibrell.	Simpson.
Dickson.	Smith.
Gage.	Stafford.
Goss.	Whitaker.

Nays—8.

Colquitt.	Rogers.
Darwin.	Steele.
McKinney.	Tips.
Presler.	Woods.

Absent, excused.

Boren. Sherrill.

Absent, not excused.

Crowley.

The motion to postpone consideration of the bill indefinitely was lost by the following vote:

Yeas—12.

Agnew.	Greer.
Atlee.	Lawhon.
Bailey.	Lewis.
Dean.	Shelburne.
Gage.	Simpson.
Goss.	Whitaker.

Nays—14.

Beall.	McKinney.
Colquitt.	Presler.
Darwin.	Smith.
Dibrell.	Stafford.
Dickson.	Steele.
Harrison.	Tips.
McComb.	Woods.

Paired.

Yea. Nay.

Crowley. Rogers.

Absent—excused.

Boren. Sherrill.

Absent, not excused.

Bowser.

Senator Steele's motion to postpone consideration till next Tuesday was adopted.

On motion of Senator Dickson,

Senate bill No. 142, being a bill to be entitled "An act to provide for the amicable adjustment of grievances and disputes that may arise between employers or receivers and employes, and to authorize the creation of a Board of Arbitration, and to provide for compensation of said Board, and to provide penalties for the violation hereof,"

Was recommitted to Committee on Labor.

### SPECIAL ORDER.

The Chair laid before the Senate, Senate bill No. 157, entitled "An act to amend article 2376, chapter 1, title 62, of the Revised Civil Statutes, and to repeal articles 3804, 3806 and 3807, chapter 2,

title 79 thereof, in relation to fees in the general land office."

Bill read second time.

By Senator Atlee:

Amend caption by adding after the word "State" the words "or by cities and towns."

On motion of Senator Agnew, Senate adjourned till tomorrow morning at 10 o'clock.

### THIRTY-THIRD DAY.

Senate Chamber,

Austin, Texas, Feb. 14, 1895.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the Chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew.	Harrison.
Atlee.	Lawhon.
Bailey.	Lewis.
Beall.	McComb.
Bowser.	McKinney.
Colquitt.	Presler.
Crowley.	Rogers.
Darwin.	Shelburne.
Dean.	Simpson.
Dibrell.	Stafford.
Dickson.	Steele.
Gage.	Tips.
Goss.	Whitaker.
Greer.	Woods.

Absent, excused.

Boren.

Sherrill.

Absent, not excused.

Smith.

Prayer by the Chaplain, Dr. Smoot.

Pending reading of the Journal of yesterday,

On motion of Senator Harrison, same was suspended.

On motion of Senator Dickson, Senator Boren was excused indefinitely on account of sickness.

On motion of Senator Dibrell, Senator Smith was excused indefinitely on account of sickness.

### PETITIONS AND MEMORIALS.

By Senator Dickson:

Petition from business men of Brenham, Texas, protesting against the passage of the "Agnew bill."

Read and referred to Judiciary Committee No. 1.

By Senator Lewis:

Petition from citizens of Bandera county, asking that the civil and criminal jurisdiction of the county court be restored.

Read and referred to Committee on Judicial Districts.

By Senator Dean:

Petition from citizens of Presidio county, asking that the appropriation for the support of the ranger force be made.

Read and referred to Committee on Finance.

### COMMITTEE REPORTS.

Committee Room,

Austin, Texas, Feb. 14, 1895.

Hon. George T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 166, being "An act to amend section No. 1 of an act entitled 'An act to amend section 46, chapter 25, of the acts of 1885, entitled an act to amend chapter 79 of the acts of 1883, entitled an act to amend chapter 48 of the acts of 1887, an act to amend section 46 of an act to encourage stockraising and protect stockraisers, approved April 22, 1879, and amended April 12, 1880, April 4, 1881, March 27, 1887, March 29, 1889, March 23, 1891, April 15, 1891, and March 29, 1893, so as to exempt Wilson county from the operation of the stock inspection law,'"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 13, 1895.

Hon. George T. Jester, President of the Senate:

Your Committee on Mining and Irrigation, to whom was referred

Senate bill No. 52, being a bill to be entitled "An act to encourage irrigation, and to provide for the acquisition of the right to the use of water, and for the construction and maintenance of canals, ditches, flumes, reservoirs and wells for irrigation and for mining, milling and stockraising."

Have had the same under consideration, and I am instructed to report the accompanying committee substitute Senate bill No. 52 back to the Senate with the recommendation that said substitute do pass.

GAGE, Chairman.

(No copy of substitute furnished Journal Clerk.)

Committee Room,

Austin, Texas, Feb. 13, 1895.

Hon. George T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Substitute Senate bill No. 27, being "An act to transfer to the general revenue account certain funds now in the State Treasury to the credit of other accounts,"

And find the same correctly enrolled, and have at this day, at 10:50 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,

Austin, Texas, February 13, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Internal Improvements, to whom was referred

Senate bill No. 153, being a bill to be entitled "An act to require street car companies in this State to provide closed cars for passengers during certain months, and to prohibit the use of open